REMARKS

Claims 1-3, 5-6, and 9-30 are all the claims presently pending in the application. Claim 25 has been merely editorially amended and has not been substantively amended to more particularly define the invention or to overcome the prior art rejections.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and _not_ for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Applicants appreciate the Examiner's indication that claims 1-3, 5-6, 9-23 and 26-30 are allowed. However, Applicants respectfully submit that all of claims 1-3, 5-6 and 9-30 are allowable.

Claims 24 and 25 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Wu et al. (U.S. Patent No. 6,332,007) (hereinafter "Wu").

These rejections are respectfully traversed in the following discussion.

I.   THE CLAIMED INVENTION

The claimed invention (e.g., as defined in claim 24) is directed to a mobile terminal for a wireless LAN. The mobile terminal includes means for monitoring radio beacons of a connected access point and downloading hopping information of a plurality of neighboring access points from the connected access point, means for monitoring radio beacons of the neighboring access points based on the hopping information, means for constructing the hopping information as a mobile terminal database to continuously compare radio environments, and means for selecting and connecting an access point having a best radio situation by referring to the mobile terminal database of the neighboring access point when a quality of the radio beacon of the connected access point is reduced lower than a predetermined value, wherein, when the mobile terminal is not connected to the access point having a best radio situation, the mobile terminal is

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connected subsequently to an access point having a second best radio situation.

Conventional high-speed roaming methods using wireless LANs provide a roaming method that is started after the beacon quality is reduced smaller than a threshold value. The radio situations of the access points are then compared with each other by scanning the access points and then the subscription operation is carried out in synchronism with the access point having the best communication environment (see page 4, lines 11-19). The access point having a highest receive signal strength indicator (RSSI) is selected (e.g., as the roaming destination) from the neighboring access points based on the hopping information that is downloaded when the beacon quality is lowered below the threshold value.

However, as discussed in the previous Amendment, before the operation is shifted to the subscription operation, the roaming function is started after the beacon quality is lowered below the threshold value, and then the access points that have been registered as the neighboring access points are scanned, then their radio situations are compared mutually, and then the subscription operation is synchronized. Thus, a long time is required before the subscription operation begins (see page 6, lines 1-18).

The claimed invention, on the other hand, provides a mobile terminal for a wireless LAN wherein, when the mobile terminal is not connected to the access point having a best radio situation, the mobile terminal is connected subsequently to an access point having a second best radio situation (see page 18, lines 8-14). Thus, the roaming can be executed in a very short time by applying immediately the subscription operation · to the neighboring access point having the best communication environment at a point of time when the beacon quality of the connected access point is lowered below the threshold value (see Application at page 6, line 23 through page 7, line 3).

II.   THE PRIOR ART REFERENCES

The Examiner alleges that Wu teaches the claimed invention of claims 24 and 25. Applicants, however, respectfully submit that there are elements of the claimed invention which are neither taught nor suggested by Wu.

That is, Wu does not teach or suggest a mobile terminal for a wireless LAN

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wherein "*when said mobile terminal is not connected to said access point having said best radio situation, said mobile terminal is connected subsequently to an access point having a second best radio situation*" as recited by claim 24 and similarly recited by claim 25.

The Examiner attempts to rely on column 5, lines 21-23 and column 8, lines 49-62 of Wu to support his allegations. The Examiner, however, is clearly incorrect.

That is, these passages in Wu merely describe a roaming algorithm for associating a mobile station with an access point in a wireless LAN system used in an automatic guidance vehicle. Specifically, Wu discloses a roaming algorithm where each access point is preconfigured with the adjacent access points. The mobile station receives information of the neighboring access points from the currently associated access points. The mobile station monitors each of the access points and, during roaming, chooses the best access point to associate with, without having to scan each of the access points.

Nowhere, however, in these passages (nor anywhere else for that matter) does Wu teach or suggest that <u>when the mobile terminal is not connected to the access point having a best radio situation the mobile terminal is connected subsequently to an access point having a second best radio situation</u>. Indeed, as pointed out by the Examiner, Wu teaches that "when roaming, STA <u>always</u> chooses the AP with best RSSI value to associate with" (see Wu at column 5, lines 30-33). Wu further teaches that once the Beacon quality of the mobile STA dropped below the threshold, the STA will begin to roam. As stated above, during roaming, the STA always chooses the AP with the best RSSI. Nowhere does Wu mention subsequently being connected to an access point have a <u>second best radio situation</u>.

Therefore, Applicants submit that there are elements of the claimed invention that are not taught or suggested by Wu. Therefore, Applicants respectfully request the Examiner to withdraw this rejection.

III.   CONCLUSION

Applicants point out to the Examiner that a foreign priority document, JP 2000-209784 was filed July 10, 2001 with the Application, and a corresponding claim to

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foreign priority was made. The Examiner has not yet acknowledged Applicants' claim to foreign priority. <u>Applicants respectfully request the Examiner to acknowledge Applicants' claim to foreign priority and acknowledge receipt of the certified copies of the priority document filed on July 10, 2001.</u>

In view of the foregoing, Applicants submit that claims 1-3, 5-6 and 9-30, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a <u>telephonic or personal interview</u>.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

                                        Respectfully Submitted,

Date: _December 21, 2004_

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